

JCO2 Rec'd FCI/PTO 30 AUG 2005 #4

EL 749062985US

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Dated: August 30, 2005 Signature:  (Rebecca Butler-Guinan)

Docket No.: 27793-00093USPX
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dorian Bevec

Application No.: 10/517125

Confirmation No.: 5536

Filed: December 1, 2004

Art Unit: N/A

For: USE OF COMPOUNDS HAVING THE
BIOLOGICAL ACTIVITY OF VASOACTIVE
INTESTINAL PEPTIDE FOR THE
TREATMENT OF SARCOIDOSIS

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.

371

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed August 1, 2005, Applicant respectfully submits a duly executed Combined Declaration and Power of Attorney, Part 2-Copy of Notice including CRF Problem Report and copy of marked-up raw sequence listing, Statement Pursuant to 37 CFR §1.821, and substitute computer readable form copy of the Sequence Listing.

Our check in the amount of \$65.00 for payment of the surcharge for providing the oath and declaration later than the appropriate 20 or 30 months from the priority date under 37 CFR 1.492(e).

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this

01/03/2005 10:00:00 00000000 10307125

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Application No.: 10/517125

#4
Docket No.: 27793-00093USPX

PCT/PTO 30 AUG 2005

application by this firm) to our Deposit Account No. 10-0447 under Order No. 27793-00093USPX.

Dated: August 30, 2005

Respectfully submitted,

By 

Stanley R. Moore

Registration No.: 26,958

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

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Attorneys For Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/517,125	Dorian Bevec	27793-00093USPX

INTERNATIONAL APPLICATION NO.
PCT/CH03/00357

I.A. FILING DATE	PRIORITY DATE
06/05/2003	06/10/2002

23932
 JENKENS & GILCHRIST, PC
 1445 ROSS AVENUE
 SUITE 3200
 DALLAS, TX 75202

INTELLECTUAL PROPERTY

AUG 08 2005

JENKENS & GILCHRIST

CONFIRMATION NO. 5536

371 FORMALITIES LETTER



OC000000016662488

Date Mailed: 08/01/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/01/2004
- Copy of the International Search Report filed on 12/01/2004
- Biochemical Sequence Diskette filed on 12/01/2004
- Oath or Declaration filed on 12/01/2004
- Request for Immediate Examination filed on 12/01/2004
- U.S. Basic National Fees filed on 12/01/2004
- Priority Documents filed on 12/01/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

* DOCKETED
 Int: u DT: 8/8/05
 MISSING PARS
 Action: Cope Date: 8/1/05
 Program Due: 10/1/05

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

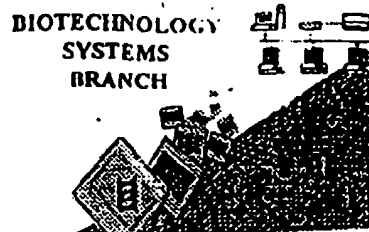
*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/517,125	PCT/CH03/00357	27793-00093USPX



CRF Problem Report

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 10/517,125
 Filing Date: 12-1-04
 Date Processed by STIC: 12-17-04

STIC Contact Mark Spencer: Telephone: 571-272-2510; Fax: 571-273-0221

Nature of Problem:

The CRF (was)

- ☐ (circle one) Damaged or Unreadable (for Unreadable, see attached)
- ☐ Blank (no files on CRF) (see attached)
- ☐ Empty file (filename present, but no bytes in file) (see attached)
- ☒ Virus-infected. Virus name: _____ The STIC will not process the CRF
- ☐ Not saved in ASCII text
- ☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should only be the Sequence Listing
- ☐ Did not contain a Sequence Listing (see attached sample)
- ☐ Other

PLEASE USE THE CHECKER VERSION 4.2 PROGRAM TO REDUCE ERRORS.
 SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 06/05/04):
 U.S. Patent and Trademark Office, 220 20th Street S., Customer Window, Mail Stop Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202

Revised 05/19/04

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FILE SAVED IN ADOBE

10/5/25

12/1/4

WO 03/103702

(Sample of submitted
file in Acrobat
1/6 format)

PCT/CH03/00357

PMB-0207 PatentIn.ST25
SEQUENCE LISTING

<110> Mondobiotech SA

<120> Use of Compounds having the Biological Activity of Vasoactive Intestinal
Peptide for the Treatment of Sarcoidosis

<130> PMB-0207 INT

<160> 14

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<400> 2

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20 25 30Gln Arg Val Lys Asn Lys
35- PLS
USE
~~ASCII~~
ASCII
text
only.